

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

UNITED STATES OF AMERICA

Plaintiff

vs

HECTOR FIGUEROA-ROLDAN

Defendant

CRIMINAL 04-424CCC

ORDER

Defendant Héctor Figueroa-Roldán filed Objections to his Pre-Sentence Report on August 5, 2005 (docket entry 35), seeking, in essence, a downward adjustment to his advisory base offense level under U.S.S.G. § 3B1.2 for his purported role as a minor/minimal participant in the offense, as well as a departure in recognition of his alleged cooperation with the United States. Defendant, however, accepted in his Plea Agreement that he would not seek further adjustments or departures from the Court besides those already stipulated in said document, all of which were applied in the Pre-Sentence Report. See Plea Agreement (docket entry 29), at p. 5, ¶ 9. Accordingly, and to the extent his objections constitute a breach of the Plea Agreement, the Court will not consider them and they are hereby DENIED.

SO ORDERED.

At San Juan, Puerto Rico, on August 30, 2005.

S/CARMEN CONSUELO CEREZO
United States District Judge